

IN THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO

STATE OF OHIO,

Case No. 2019CR000068

PLAINTIFF,

JUDGE CHRIS A. MARTIN

vs.

CHARLES S. READER,

NOTICE OF VIOLATION OF  
NON-CONTACT ORDER

DEFENDANT.

Now comes the State of Ohio and give the Court and Counsel for Defendant of Defendant's apparent violation of this Court's previous Order not to contact witnesses for the State of Ohio in this matter.

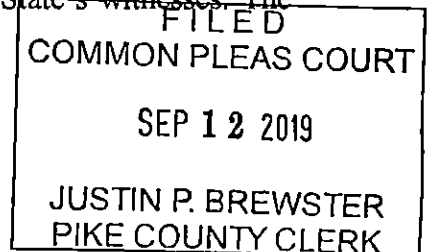
Respectfully submitted,



ROBERT F. SMITH (0023434)  
Special Prosecutor for Pike County  
88 East Broad Street, Ninth Floor  
Columbus, Ohio 43215  
Direct: (614) 728-7100  
Counsel for the State of Ohio

**MEMORANDUM IN SUPPORT OF NOTICE OF VIOLATION**

On August 15, 2019, investigators for the Auditor of State's office were made aware that Defendant had contacted a witness for the State of Ohio whose name had been provided to Defendant through his counsel at the time of his Arraignment on July 2, 2019 pursuant to this Court's Order to Defendant prohibiting him from contacting any of the State's witnesses. The

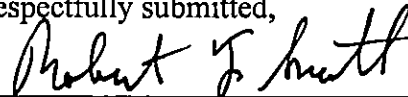


information was that Defendant had contacted Frederic "Chip" Foill, whose name was on the witness list provided to Defendant.

On August 21, 2019, investigators for the Auditor of State's office interviewed Mr. Foill, who confirmed he had received a text message from Defendant. He did not respond to it initially, but did respond to a subsequent text from Defendant reminding him Defendant was not allowed to communicate with him (State's Exhibit #1). Mr. Foill provided screen shots of the texts from his cell phone (States Exhibit #2).

The State of Ohio submits that this constitutes a violation of this Court's previous Order.

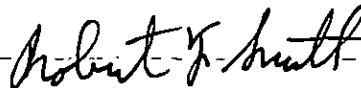
Respectfully submitted,



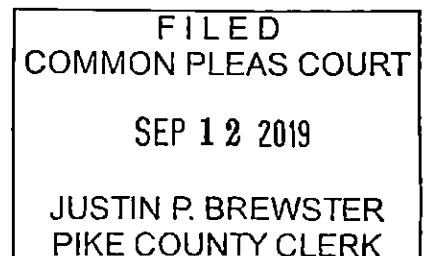
ROBERT F. SMITH (0023434)  
Special Prosecutor for Pike County

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing was served via email and ordinary U.S. mail, postage prepaid, to James T. Boulger, Counsel for Charles S. Reader, 45 West Fourth Street, Chillicothe, OH 45601, this 4<sup>th</sup> day of September, 2019.



ROBERT F. SMITH (0023434)  
Special Prosecutor for Pike County



# OHIO AUDITOR OF STATE KEITH FABER

Special  
Investigations

## Report of Investigative Activity

On August 20, 2019, Auditor of State Chief of Investigations Mike Spiert and Investigators Diane Corey and Max Uhl met with Frederic "Chip" Foill along with his business partner, Kelly Seif at their business located at 201 E. North St., Waverly, OH.

Investigators asked Foill if he had been contacted by Sheriff Charlie Reader recently. Foill stated that he had and showed texts he had received from Reader in July 15, 2019. They read as follows:

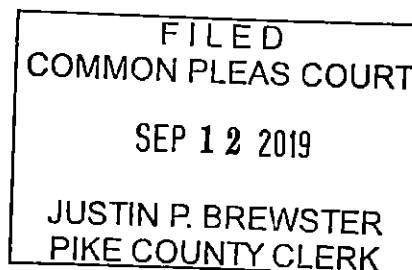
9:32 am Reader: Miss you brother  
1:51 pm Reader: Are you not speaking to me  
2:21 pm Foill: I love to brother but I was told by the state I wasn't aloud too  
Reader: Ok, you wasn't on my "no contact list" sorry..

Foill then forwarded the screenshot of his text on his phone (740)222-9041 to Kelly Seif's phone (740)222-0004. Seif then forwarded this screenshot to Inv. Corey.

Foill was instructed to notify AOS Investigators if there was any further contact attempted by Reader.

Inv. Corey had made contact with Foill on July 2, 2019, at 12:08 pm informing him of the gag order and no contact with witnesses order imposed by Judge Martin.

Sent from my iPhone



PIAT-17

4/15/2019

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CASE #	DATE:
Authoring Investigator: Michael L. Spiert <small>Digitally signed by Michael L. Spiert Date: 2019.08.21 09:15:05 -0400</small>	Supervisor Approval: Michael L. Spiert <small>Digitally signed by Michael L. Spiert Date: 2019.08.21 09:15:17 -0400</small>

From: Michael L. Spiert  
To: Robert E. Smith  
Subject: FW: Foill contact with Reader  
Date: Wednesday, August 21, 2019 9:17:48 AM  
Attachments: image2.png  
image3.png  
image4.png

*Michael Spiert*

Chief of Investigations  
Special Investigations Unit  
Ohio Auditor of State

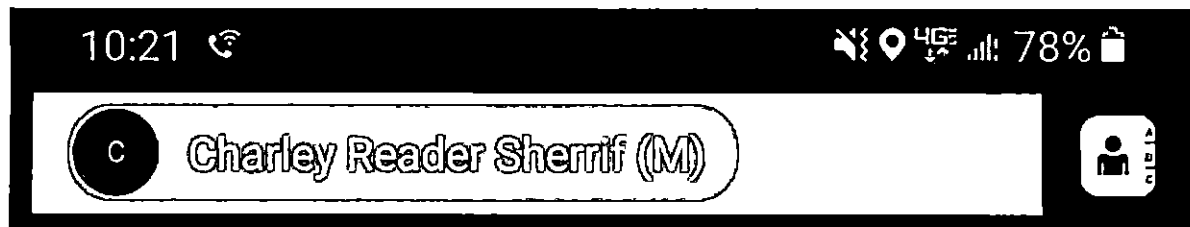
From: Diane M. Corey <DMCorey@ohioauditor.gov>  
Sent: Wednesday, August 21, 2019 9:04 AM  
To: Michael L. Spiert <MLSpiert@ohioauditor.gov>  
Subject: Foill contact with Reader

On August 20, 2019, Auditor of State Chief of Investigations Mike Spiert and Investigators Diane Corey and Max Uhl met with Frederic "Chip" Foill along with his business partner, Kelly Seif at their business located at 201 E. North St., Waverly, OH.

Investigators asked Foill if he had been contacted by Sheriff Charlie Reader recently. Foill stated that he had and showed texts he had received from Reader in July 15, 2019. They read as follows:

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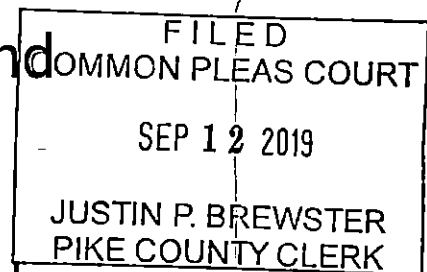
Foill then forwarded the screenshot of his text on his phone (740)222-9041 to Kelly Seif's phone (740)222-0004. Seif then forwarded this screenshot to Inv. Corey.



and I can pull it up to shop.

Also, when it drys out again, I would love to use the roll back and skid steer for a day.

I'm searching for s suspect vehicle now, I will try to catch up with you after bit



7/15/19 9:32 AM



Miss you brother

7/15/19 1:51 PM

Are you not speaking to me

7/15/19 2:21 PM

I love to brother but I was told by  
the state I wasnt aloud too

Sent

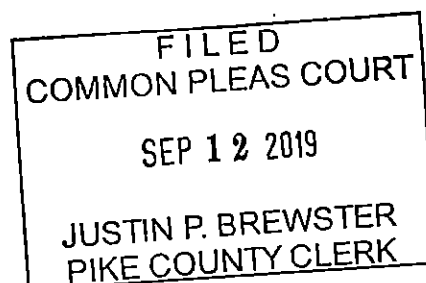
Ok, you wasn't on my "no contact  
list" sorry..

+ Type a message...



Foill was instructed to notify AOS Investigators if there was any further contact attempted by Reader.

Inv. Corey had made contact with Foill on July 2, 2019, at 12:08 pm informing him of the gag order and no contact with witnesses order imposed by Judge Martin.



Verizon LTE

9:00 AM



New Message

Cancel

To: Foill

Text Message

Tue, Jul 2, 12:08 PM

This is Inv. Corey  
from AOS. Judge  
Martin issued gag  
order for all  
witnesses re social  
media. So refrain  
from any mention  
of the case  
against Sheriff  
Reader on social  
media.



Text Messa...



FILED  
COMMON PLEAS COURT  
SEP 12 2019  
JUSTIN P. BREWSTER  
PIKE COUNTY CLERK

Verizon LTE

9:00 AM



New Message

Cancel

To: Foill

media.

And Sheriff  
Reader is not to  
have any contact  
with witnesses  
without AOS  
attorney and his.  
So let us know if  
that happens.

I dont do social  
media

Yes I recall you



Text Messa...



FILED  
COMMON PLEAS COURT  
SEP 12 2019  
JUSTIN P. BREWSTER  
PIKE COUNTY CLERK

Verizon LTE

9:01 AM



New Message

Cancel

To: Foill

attorney and his.

So let us know if  
that happens.

I dont do social  
media

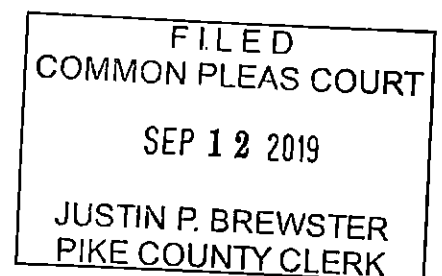
Yes I recall you  
said that. Just  
making sure you  
were aware as you  
are on the witness  
list. Thank you  
again.



Text Messa...



Sent from my iPhone





# Fax Call Report

HP LaserJet M4555 MFP

Page 1

## Fax Header Information

Ohio Auditor of State  
614-466-4516  
Sep/04/2019 9:30:19 AM

Job	Date/Time	Type	Identification	Duration	Pages	Result
5183	Sep/04/2019 9:25:51 AM	Send	17409471729	04:26	9	Success

Sep/04/2019 9:28:29 AM

Ohio Auditor of State 614-466-4516

1/8

OHIO AUDITOR OF STATE  
KEITH FABER

## FAX TRANSMITTAL COVER SHEET

To:	<u>Pike County Clerk of Courts</u>
Fax Number:	<u>740-947-1729</u>
From:	<u>Cheryl Gray, Administrative Assistant</u>
Date:	<u>September 4, 2019</u>
Total Number of Pages:	<u>9</u> (Including Cover Sheet)
<b>Notes</b>	
<i>Re: SOH vs. Charles S. Reader</i> Case No. 2019CR000068	
Please file the attached <i>Notice of Violation of Non-Contact Order</i> in the above-captioned matter. Original to follow via regular mail service.	
Please deliver a copy of the attached to Judge Martin.	
Thank you!	
IF THERE ARE ANY PROBLEMS WITH THE TRANSMISSION, PLEASE CALL Cheryl Gray @ (614) 728-7268	

FILED  
COMMON PLEAS COURT  
SEP 12 2019  
JUSTIN P. BREWSTER  
PIKE COUNTY CLERK

88 East Broad Street, Columbus, Ohio 43215  
Phone: 614-466-4514 or 800-282-0370  
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